

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: APPLICANT: CASH AMERICA/SUPER PAWN - OWNER:
NORTHSHORE PLAZA, LLC**

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-37362	Staff recommends DENIAL. If approved, subject to conditions	N/A

**** CONDITIONS ****

SUP-37362 CONDITIONS

Planning and Development

- 1.Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Pawn Shop use.
- 2.This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity. An Extension of Time may be filed for consideration by the City of Las Vegas.
- 3.All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
November 18, 2010 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Pawn Shop within a portion of an existing building with waivers to allow a zero-foot distance separation from residentially zoned property and a Financial Institution, Specified where 200 feet and 1000 feet, respectively, are required at 8400 West Cheyenne Avenue. The proposed Pawn Shop use will occupy 9,650 square feet of the building space with a 2,900 square-foot outdoor patio. Staff is recommending denial of this request because the proposed use cannot be conducted in a manner that is compatible with the surrounding land uses, as is evidenced by the requested waivers of distance separation requirements. If this request is denied, the Pawn Shop use will not be allowed to operate at this location.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
03/16/94	The City Council approved a request for a General Plan Amendment (GPA-0004-94 from ML (Medium Low Density Residential) to SC (Service Commercial) on the northeast corner of Durango Drive and Cheyenne Avenue. The Planning Commission recommended approval
03/16/94	The City Council approved a request for Reclassification of Property (Z-0007-94) from N-U (Non-Urban) to R-PD8 (Residential Planned Development) and C-1 (Limited Commercial) on the northeast corner of Durango Drive and Cheyenne Avenue. The Planning Commission recommended approval.
09/14/95	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0007-94(3)] for a proposed retail shopping center located on the northwest corner of Cheyenne Avenue and Soaring Gulls Drive. Planning and Development recommended approval.
03/25/10	The item for the request of a Special Use Permit (SUP-37362) was tabled at the request of the applicant from the Planning Commission meeting.

<i>Related Building Permits/Business Licenses</i>	
09/16/96	A building permit (#9618721) was issued for a retail building at 8400 West Cheyenne Avenue. The project was completed on 02/10/97.
09/26/03	A building permit (#03020713) was issued for a Non-Work Certificate of Occupancy at 8400 West Cheyenne Avenue. The project was completed on 10/2/03.
10/06/03	A business license (F07-01794) was issued for a Furniture Store at 8400 West Cheyenne Avenue. The license was marked out of business on 06/26/09.

November 18, 2010 - Planning Commission Meeting

<i>Pre-Application Meeting</i>	
01/25/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Pawn Shop were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed. • Provide floor plan upon submittal of Special Use Permit application. • Revise Site Plan to include building size with parking calculations. • Waiver for the 200-foot residential use and the 1000-foot distance separation requirement from Financial Institution, Specified use.

<i>Neighborhood Meeting</i>	
03/15/10	A voluntary neighborhood meeting was held at 6:00 pm at the Durango Hills Community Center YMCA located at 3521 North Durango Drive Las Vegas, Nevada 89129. No submitted results from this meeting.
10/13/10	A voluntary neighborhood meeting is to be held at 6:00 pm at the Durango Hills Community Center YMCA located at 3521 North Durango Drive Las Vegas, Nevada 89129.

<i>Field Check</i>	
09/16/10	A site visit was conducted by staff. The subject property is properly maintained. The subject building is currently vacant.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.74

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Service Station with Convenience Store and Self Service Car Wash	SC (Service Commercial)	C-1 (Limited Commercial)

November 18, 2010 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Primary Arterial – Cheyenne Avenue	Master Plan of Streets and Highways	100	Y
Primary Arterial – Durango Drive			

DEVELOPMENT STANDARDS*Pursuant to Title 19.04 and 19.10, the following parking standards apply:*

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	155,663 SF	1:250 SF	623		600		N
TOTAL SPACES REQUIRED			623		600		
Regular and Handicap Spaces Required			610	13	577	23	

Waivers		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
200-foot distance separation from residential property to the north.	Zero feet	Denial
1,000-foot distance separation from a Financial Institution, Specified at 8350 West Cheyenne Ave.		

Staff Report Page Four
November 18, 2010 - Planning Commission Meeting

ANALYSIS

This is a request for a Special Use Permit for a Pawn Shop use within a portion of an existing 21,733 square-foot building in the Northshore Plaza Shopping Center, which is a parking impaired site. The Site Plan indicates 623 parking spaces are required, whereas only 600 parking spaces are provided, as depicted in approved civil plans for this commercial center. The Shopping Center parking requirement is one space per 250 square feet, regardless of the use.

The minimum Special Use Permit requirements for the proposed use are a 200-foot distance separation from adjacent residential property and a 1,000-foot distance separation from a Financial Institution, Specified use. The applicant has requested waivers of these requirements. Due to the waiver requests, the proposed use is not compatible with this commercial center and the surrounding area; therefore, staff recommends denial of this request.

FINDINGS

The following findings must be made for a Special Use Permit:

1. “The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”

The proposed Pawn Shop use cannot be conducted in a manner that is harmonious and compatible with the existing site due to the waiver requests to allow a zero-foot distance separation from residential property and a Financial Institution, Specified use.

2. “The subject site is physically suitable for the type and intensity of land use proposed.”

The proposed use is located directly adjacent to a residential property and a Financial Institution Specified use is located within the same shopping center. The subject site does not meet the minimum standards set forth in Title 19.04 for a Pawn Shop within a C-1 (Limited Commercial) zoned property. The subject site is not physically suitable for the intensity of the proposed land use, due to the need for waivers of Title 19.04 standards.

3. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”

Site access is provided from Cheyenne Avenue and Durango Drive. These streets are adequate in size to accommodate the proposed Pawn Shop use.

Staff Report Page Five
November 18, 2010 - Planning Commission Meeting

4. “Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”

Approval of the proposed Special Use Permit will not be inconsistent with or compromise the public health, safety and general welfare as the use will be subject to regular inspections for business licensing.

5. The use meets all of the applicable conditions per Title 19.04.

The proposed Pawn Shop use does not comply with the minimum Special Use Permit requirements. The proposed use will be located within 200 feet of a parcel used or zoned for residential use. In addition, the use will be located within 1,000 feet of a Financial Institution, Specified use. A waiver has been requested from these requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

19

NOTICES MAILED 1,387

APPROVALS 2

PROTESTS 137